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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/980,655

04/23/2002

Kari Hasanen

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4257

21831

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10/19/2004

STEINBERG & RASKIN, P.C.

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NEW YORK, NY 10036-5803

EXAMINER

KOYAMA, KUMIKO C

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/980,655

Applicant(s)

HASANEN ET AL.

Examiner

Kumiko C. Koyama

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

Acknowledgement is made of receipt of Amendment filed on July 26, 2004.

### ***Claim Objections***

1. Claims 1-7 and 9 are objected to because of the following informalities:

Re claim 1 and 5: "a machine for producing or finishing/converting paper/board or pulp" should be changed to --a machine for producing, finishing, or converting paper, board or pulp--.

Re claim 1, 3, 5 and 7: "and/or" should be changed to --or-- or --and--. When the claim recites "and/or," the claim is considered indefinite because it is unclear whether the Examiner should consider one or both elements as part of the limitation.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US 6,047,110) in view of Goss et al (US 6,341,522).

Smith teaches a method and apparatus for identifying a media type to be printed upon and communicating the identification to a printer, which is considered as monitoring the properties of a roll of the machine and changes taking place in the properties (col 2, lines 18-21). Smith

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discloses that a roll 30 of a media 18 is mounted on printer 10. The leading edge of media 18 includes coded indicia 32 identifies at least, the media type and preferably, further identifies the size of the media and its remaining length. The coded indicia is considered as a memory unit that accompanies the roll when the roll is a functional part of the machine, in which memory unit is written and read electrically by optically, and the above disclosure teaches properties stored in the memory unit. Coded indicia 32 is initially printed on the leading edge of media 18 when the media is produced at factory, which reads on the limitation storing taking place in connection with a manufacture or servicing of the roll in question before the roll is taken for installation into the machine. It may be configured in the form of a bar code or any other indicia which is readably by an optical sensor 34. The coded indicia may be printed on an end of roll 30 where it can be read by a further optical sensor 35 (col 3, lines 4-15). Smith further discloses that the data read from the coded indicia is fed to controller 20 then utilizes the data derived from the indicia to set parameters for control of printer 10 (i.e., in accordance with the media type identified by the coded indicia) (col 3, lines 15-23). Such disclosure teaches transmitting the stored changes in the memory unit to the control unit of the machine and/or a separate data processing system, which is used for servicing data to the control unit.

Smith fails to teach a machine for producing or finishing/converting paper/board or pulp. Smith also fails to teach that the roll comprises at least one sensor observing a state of the roll and/or its ambient conditions.

Goss discloses a sheetmaking machine having a roller that is imbedded with a sensor (col 2, lines 28-30). The sensor is for detecting property changes of a material as it rotates and comes into contact with the material (col 8, lines 45-57). Goss further teaches that a sensor imbedded

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roller for measuring properties of material for determining the weight of sheetmaking materials in a sheet making system (col 5, lines 8-10). The variable impedance of the sensor relates to changes in property of the material being sensed which can then be related to changes in other physical characteristics of the material such as weight, chemical composition, and temperature (Abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Goss to the teachings of Smith such that the sensor is imbedded with the roller to avoid utilizing further space for the sensor for a compact and smaller machine.

4. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Goss as applied to claims 1 and 5 above, and further in view of Allmann et al (US 5,953,953). The teachings of Smith as modified by Goss have been discussed above.

Smith as modified by Goss fail to teach a separate data processing system that is arranged data transmission means for transmitting data from the data processing system to the control unit and from the control unit to the data processing system.

Allmann shows in Fig. 2 a computer 28, which is a data processing system, and a controller 32 being in connection for data transmission (Fig. 2). Allmann further discloses that the controller can control the transport process of the web material dependent on the information sent to computer (col 3, lines 40-45).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Allmann to the teachings of Smith as modified by Goss because a data processing system such as a computer has a capability of

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processing and storing large amount of data in a fast manner. Therefore, such modification provides much faster response as well as faster action to adjust to the roll to accommodate changes.

5. Claims 4 and 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Goss as applied to claims 1 and 5 above, and further in view of Adams et al (US 6,622,448). The teachings of Smith as modified by Goss have been discussed above.

Smith as modified by Goss fail to teach that the memory unit can be continuously stored an amount of data, corresponding to a certain time interval, which is obtained in an essentially uninterrupted manner from at least one observing sensor.

Adams teaches measurements of time involved in a papermaking process (col 6, lines 50+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Adams to the teachings of Smith as modified by Goss in order to make sure that the machine is operating in a functional manner without any errors by checking that the feed flow time of the paper is appropriate to insure that the paper is not jammed.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-7 and 9 have been considered but are moot in view of the new ground(s) of rejection.

With respect to Applicant's arguments "Smith reference relates to printers and is not prior art," the Examiner respectfully disagrees. Both Smith and the Applicant's invention relates

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to the a processing of paper. Applicant claims a “finishing/converting” machine, which includes printers because it finishes the paper with letterings, or converts the paper into a readable material. The Applicant also argues “it seems the Examiner has incorrectly drawn an analogy between a roll of media to be printed...and the roll according to the Applicant’s invention.” However, the Examiner submits that the Applicant has not specifically defined the meaning or what contains in the limitation “a roll of the machine.” Because the Applicant’s does not specifically define the term “a roll of the machine,” the Examiner interprets the “roll of the machine” as any type of roll that is utilized in a machine. Therefore, the Examiner believes that Smith a related prior art and Smith in view of Goss still read on the claimed invention.

With respect to other arguments, the Examiner has added new interpretation and citation to the rejection of Smith in view of Goss as provided above. Therefore, Applicant’s arguments are moot in view of new grounds of rejection.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 571-272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kumiko C. Koyama  
October 16, 2004

  
**DIANE I. LEE**  
**PRIMARY EXAMINER**